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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/663,165

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EXAMINER

HO, HUY C

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/663,165	<b>Applicant(s)</b> REDDY ET AL.	
	<b>Examiner</b> HUY C. HO	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-14,16-20,22,23 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-14,16-20,22,23 and 25-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Response to Arguments***

1. Applicant's arguments filed 02/25/2008 have been fully considered but they are not persuasive.

The argued features, i.e., using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a GPRS network, and a new wireless local area network (WLAN), wherein communications with the SIM and the WLAN are carried out using extensible authentication protocol (EAP) reads upon cited references Ahmavaara and in view of Melpignano as follows.

Ahmavaara teaches method and system for providing access from first network to second network, where Ahmavaara is discussing accessing to the second network by using an authenticating signaling for establishing connection between a device to the second network, the authenticating signaling message is a message of Extensible Authentication Protocol (EAP) (see sections [16]-[17], [24]-[25], [27]-[30]), Ahmavaara further discloses his invention is not restricted to WLAN and GPRS but can be used in any network architecture where the authentication signaling message being used as Extensible Authentication Protocol (EAP) to access to networks (see sections [24]-[25], [27]-[30] and [34]), thus Ahmavaara discloses using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a GPRS network, and a new wireless local area network (WLAN), wherein communications with the SIM and the WLAN are carried out using extensible authentication protocol (EAP).

Ahmavaara does not specifically show WLAN adapter and the GPRS adapter, however, it is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks (see the abstract, figures 1 and 2, par [16]). In same field of endeavor, Melpignano teaches mobile devices can connect to networks WLAN and GPRS, these devices include multi-mode module to support various standards such as WLAN and GPRS systems (see the abstract, sections [16], [18], [22], [62]), Thus Melpignano discloses (WLAN) adapter and (GPRS) adapter.

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As a result, the argued features were written such that they read upon the cited references.

More details are provided below.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. **Claims 1-23 and 25-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahmavaara et al. (2005/0272465)** and further in view of **Melpignano (2005/0176473)**.

**Consider claim 1**, (Currently amended) Ahmavaara teaches a method (**see the abstract**), comprising:

using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a new wireless local area network (WLAN), wherein an access to a GPRS network via the GPRS adapter is authenticated using the

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credential information, and communications with the SIM and the WLAN are carried out using extensible authentication protocol EAP-for subscriber identity module (EAP-SIM) (see the abstract, figures 1, 2, sections [8]-[18], [25]-[31], [34]).

Ahmavaara does not specifically show WLAN adapter and the GPRS adapter. It is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, par [16]). In same field of endeavor, Melpignano teaches an (WLAN) adapter and (GPRS) adapter (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless hardware adapted to support wireless operation of client devices, so disclosing the existence of WLAN and GPRS adapters). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ahmavaara invention, and have a (WLAN) adapter and (GPRS) adapter, as taught by Melpignano, thus improving wireless communication as discussed by Melpignano (see pars [16]-[18]).

**Consider claim 9**, (currently amended) Ahmavaara teaches a computer-readable medium including machine readable instructions that, if executed by a computer system, cause the computer system to perform a method comprising:

using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a new wireless local area network (WLAN), wherein an access to a GPRS network via the GPRS adapter is authenticated using the credential information, and communications with the SIM and the WLAN are carried out using extensible authentication protocol EAP-for subscriber identity module (EAP-SIM) (see the abstract, figures 1, 2, sections [8]-[18], [25]-[31], [34]).

Ahmavaara does not specifically show WLAN adapter and the GPRS adapter, however, it is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, par [16]). In same field of endeavor, Melpignano teaches an (WLAN) adapter and (GPRS) adapter (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless

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hardware adapted to support wireless operation of client devices, so disclosing the existence of WLAN and GPRS adapters). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ahmavaara invention, and have a (WLAN) adapter and (GPRS) adapter, as taught by Melpignano, thus improving wireless communication as discussed by Melpignano (see pars [16]-[18]).

**Consider claim 17, (Currently amended)** Ahmavaara discloses a mobility client to initiate requests for credential information from the SIM to authenticate access to a WLAN when the mobility recognizes an access point, wherein said requests for the credential information are communicated to the SIM using extensible authentication protocol (EAP) (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]).

using credential information stored in a subscriber identity module (SIM) associated with a General Packet Radio Service (GPRS) adapter to authenticate access to a new wireless local area network (WLAN), wherein an access to a GPRS network via the GPRS adapter is authenticated using the credential information, and communications with the SIM and the WLAN are carried out using extensible authentication protocol EAP for subscriber identity module (EAP-SIM) (see the abstract, figures 1, 2, sections [8]-[18], [25]-[31], [34]).

**Consider claim 27, (Currently amended)** Ahmavaara discloses a system, comprising:

means for initiating requests for credential information from a subscriber identity module (SIM) associated with a general packet radio service (GPRS) (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]), where a GPRS connection via the GPRS adapter is authenticated using the credential information (see the abstract, figures 1, 2, sections [8]-[18], [25]-[31], [34]).

means for ~~authenticating~~ utilizing the credential information to authenticate access to a new wireless local area network (WLAN) using the extensible authentication protocol for subscriber identity module (EAP-SIM) (see the abstract, figures 1, 2, sections [8]-[18], [25]-[31], [34]); and

means for switching data services from a GPRS connection to a WLAN connection after the access to the WLAN is authenticated (see the abstract, figures 1 and 2, pars [8]-[18], [25]-[31] and [34]);

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Ahmavaara does not specifically show an adapter. It is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, par [16]). In an analogous art, Melpignano teaches an adapter (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless hardware adapted to support wireless operation of client devices, so disclosing the existence of adapters). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ahmavaara invention, and have an adapter, as taught by Melpignano, thus improving wireless communication as discussed by Melpignano (see [16]-[18]).

**Consider claim 31, (Currently Amended)** Ahmavaara discloses a method, comprising:

issuing one or more requests to a Subscriber Identity Module (SIM) associated with a General Packet Radio Service (GPRS) adapter using Extensible Authentication Protocol (EAP), wherein a GPRS connection via the GPRS adapter is authenticated using credential information stored in the SIM (sections [8]-[18], [25]-[31], [34]);

arbitrating the one or more requests to the SIM when the SIM is busy ([15], [16], [28], [30]-[33]);

receiving the credential information stored in the SIM via a SIM reader driver ([30]-[33]);

utilizing the credential information to authenticate access to a new Wireless Local Area Network (WLAN) using EAP, extensible authentication protocol for subscriber identity module (EAP-SIM) ([8]-[18], [25]-[31] and [34]);

establishing a WLAN connection with the WLAN via a WLAN adapter ([8], [16], [24]);

issuing a location update to switch data services from a the GRPS connection to the WLAN connection ([5], [8]-[18], [25]-[31]); and

disconnecting from the GPRS connection (sections [34]).

Ahmavaara does not show an adapter, however, it is noticeable Ahmavaara teaches the method of multiple simultaneous connections to different services in different networks, i.e., WLAN and GPRS networks of a user equipment (see the abstract, figures 1 and 2, par [16]). Melpignano teaches an

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(WLAN) adapter and (GPRS) adapter (see the abstract, pars [16], [18], [22], [62], where describing the multi-standard wireless hardware adapted to support wireless operation of client devices, so disclosing the existence of WLAN and GPRS adapters).

Since both Ahmavaara and Melpignano teach method and system for wireless communication in multiple networks, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ahmavaara invention, and have an adapter, taught by Melpignano, to improve the wireless communication system discussed by Melpignano (see pars [16]-[18]).

**Consider claim 32,** (Currently amended) A computer-readable medium including machine readable instructions that, if executed by a computer system, cause the computer system to perform a method comprising:

issuing one or more requests to a Subscriber Identity Module (SIM) associated with a General Packet Radio Service (GPRS) adapter using Extensible Authentication Protocol (EAP), wherein a GPRS connection via the GPRS adapter is authenticated using credential information stored in the SIM (sections [8]-[18], [25]-[31], [34]);

arbitrating the one or more requests to the SIM when the SIM is busy ([15], [16], [28], [30]-[33]);

receiving credential information stored in the SIM via a SIM reader driver ([30]-[33]);

utilizing the credential information to authenticate access to a new Wireless Local Area Network (WLAN) using EAP extensible authentication protocol for subscriber identity module (EAP-SIM) ([8]-[18], [25]-[31] and [34]);

establishing a WLAN connection with the WLAN via a WLAN adapter ([8], [16], [24]);

issuing a location update to switch data services from a the GRPS connection to the WLAN connection ([5], [8]-[18], [25]-[31]); and

disconnecting from the GPRS connection (sections [34]).

**Consider claims 2, 10,** (Original) as applied to **claims 1, 9** currently amended Ahmavaara, as modified by Melpignano, further teaches issuing one or more requests via a smart card interface to get the credential information (see pars [30]-[32]).



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**Consider claims 3, 11, (Original)**as applied to **claims 2, 10**, Ahmavaara, as modified by Melpignano, further teaches arbitrating the one or more requests to the SIM when the SIM is busy (see pars [15], [16], [28], [30]-[33]).

**Consider claims 4, 12, (Original)**as applied to, **claims 3**, currently amended, Ahmavaara, as modified by Melpignano, further teaches the one or more requests are received by the SIM via a SIM reader driver (pars [8]-[18], [25]-[31] and [34], describing the usage of a SIM therefore inherently teaching a SIM reader device).

**Consider claims 5, 13, (Original)** as applied to, **claims 4, 12**, further teaches receiving the credential information from the SIM after the one or more requests are processed by the SIM (pars [30]-[33],

**Consider claims 6, 14, (Original)** as applied to, **claims 1, 9**, Ahmavaara, as modified by Melpignano, further teaches establishing a WLAN connection with the WLAN via a WLAN adapter (pars [8], [16], [24]).

**Consider claims 8, 16, (Currently amended)** as applied to, **claims 6 [[71]], 14 [[15]]** Ahmavaara, as modified by Melpignano, further teaches issuing a location update to switch data services from the GPRS network to the WLAN (see the abstract, figures 1 and 2, pars [5], [8]-[18], [25]-[31]); and teaches disconnecting from the GPRS network (pars [181]-[183], describing link quality decreased and switching to other networks, so teaching disconnetivity from the GPRS network).

**Consider claim 18, (Original)** as applied to, **claim 17**, Ahmavaara, as modified by Melpignano, teaches the requests for the credential information are communicated to the SIM via a smart card interface (figures 1, 3 and 12, pars [29], [30], [34], [60], [62], [64]).

**Consider claim 19, (Original)** as applied to, **claim 18**, Ahmavaara, as modified by Melpignano, wherein the requests for the credential information are received by the SIM via a SIM reader driver (figures 1, 3 and 12, pars [29], [30], [34], [60], [62], [64]).

**Consider claim 20, (Original)** as applied to **claim 19**, Ahmavaara, as modified by Melpignano, further teaches the GPRS adapter includes a SIM access module (SAM) to arbitrate the request for the credential information to the SIM (see pars [15], [16], [25], [28], [30]-[33]).

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Consider claim 22, (Currently amended) as applied to claim ~~24~~ 20, Ahmavaara, as modified by Melpignano, further teaches wherein the mobility client is further to issue a location update after the access to the WLAN is authenticated and a WLAN connection is established (pars [5] and [28]).

Consider claim 23, (Currently amended) as applied to claim 22, Ahmavaara, as modified by Melpignano, teaches the mobility client is further to disconnecting from the GPRS connection ~~drop the GPRS connection~~ (sections [34], [181]-[183]).

Consider claim 25, (Original) as applied to claim 17, Ahmavaara, as modified by Melpignano, teaches wherein the WLAN adapter and the GPRS adapter are installed on an open platform (see pars [18], [49]-[50]).

Consider claim 26, (Original) as applied to claim 17, Ahmavaara, as modified by Melpignano, teaches wherein the WLAN adapter and the GPRS adapter are combined into one module (see figures 2, 3, pars [36]-[40], [45]-[47], [92], [98]).

Consider claim 28, (Original) as applied to claim 27, Ahmavaara, as modified by Melpignano, further teaches said means for requesting the credential information from the SIM includes means for arbitrating requests to the SIM (see pars [15], [16], [28], [30]-[33]).

Consider claim 29, (Original) as applied to claim 28, Ahmavaara, as modified by Melpignano, further teaches wherein said means for switching data services between the GPRS connection and the WLAN connection includes means for performing a location update (pars [5] and [28]).

Consider claim 30, (Original) as applied to claim 27, Ahmavaara, as modified by Melpignano, further teaches means for interfacing with the SIM to send the request for the credential information (pars [28], [30]-[33]).

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing

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date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Duc Nguyen/  
Supervisory Patent Examiner, Art Unit 2617